

# EXHIBIT C

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE DISTRICT OF DELAWARE  
3

4 MCNA DOBRICH and MARCO )  
DOBRICH, Individually and )  
5 as parents and next friend )  
of ALEXANDER DOBRICH, )  
6 SAMANTHA DOBRICH, JANE DOE )  
and JOHN DOE, Individually )  
7 and as parents and next )  
friend of JORDAN DOE and )  
8 JAMIE DOE, )

9 Plaintiffs, )

10 v. )

11 INDIAN RIVER SCHOOL, )  
DISTRICT, et al., )  
12 )

13 Defendants. )

) Civil Action

) No. 05-120 (JJF)  
)

14 Videotaped Deposition of HARVEY L. WALLS,  
taken pursuant to notice at 31 Hosier Street,  
15 Selbyville, Delaware, beginning at 1:30 p.m., on  
Wednesday, October 25, 2006, before Terry Barbano  
16 Burke, RMR-CRR and Notary Public.

17 APPEARANCES:

18 THOMAS ALLINGHAM, ESQUIRE  
BRIAN LENHARD, ESQUIRE  
19 One Rodney Square  
Wilmington, Delaware 19801  
20 For the Plaintiff  
21

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24



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1 A. It could very well have.

2 Q. When you say "it could very well have," does  
3 that mean that having reviewed this log and the letter  
4 from me that it's your best recollection that that's  
5 about the time it occurred?

6 A. January of 2005?

7 Q. Yes, sir.

8 A. That could be accurate.

9 Q. Why did the board decide to discharge  
10 Mr. Griffin for that purpose?

11 A. The board did not want Mr. Griffin  
12 representing us on this case.

13 Q. Why?

14 A. Because we had philosophical differences with  
15 Mr. Griffin.

16 Q. What was the nature of the philosophical  
17 differences?

18 MR. SHAU: Objection. The differences  
19 between counsel and their client are attorney-client  
20 privilege.

21 MR. ALLINGHAM: Not if they're not in  
22 connection with the attorney-client relationship.

23 MR. SHAU: Did you discuss your  
24 differences with Mr. Griffin?



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1 THE WITNESS: One of the differences  
2 was --

3 MR. SHAU: Before you answer, did you  
4 discuss these differences with Mr. Griffin?

5 THE WITNESS: Portions of them.

6 MR. SHAU: I am going to instruct the  
7 witness not to answer, not to disclose any  
8 conversations he has had with Mr. Griffin relating to  
9 the representation.

10 MR. ALLINGHAM: I'm completely in  
11 agreement with that instruction. Okay?

12 BY MR. ALLINGHAM:

13 Q. Don't tell me what you told Mr. Griffin on  
14 this topic. Don't tell me what Mr. Griffin told you on  
15 this topic. I just want to know what you understood  
16 the philosophical differences between you and  
17 Mr. Griffin to be that led you to not want him to  
18 represent you in connection with this litigation?

19 A. One was his actual recommendation to us that  
20 we would make him a rich man if he were to be our  
21 lawyer. That was a specific recommendation from him.

22 MR. SHAU: I am going to instruct the  
23 witness not to say specific recommendations from  
24 Mr. Griffin.



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1 BY MR. ALLINGHAM:

2 Q. Anything else?

3 A. We don't know that we as a board did not  
4 believe that Mr. Griffin believed in what the board  
5 believed in.

6 Q. What was it that the board believed in?

7 A. In that the board prayer issue at meeting was  
8 legal.

9 Q. And --

10 A. And worth fighting for.

11 Q. What was the basis for your belief that  
12 Mr. Griffin didn't believe that the board policy was  
13 legal?

14 A. Several comments he had made over time.

15 Q. Okay, don't tell me.

16 We've established that on or about  
17 September 15th, maybe a day, maybe two days later,  
18 Mr. Neuberger withdrew his offer of representation to  
19 you.

20 You mentioned much earlier in the  
21 deposition that you also had consulted the Alliance  
22 Defense Fund in connection with these issues; correct?

23 A. Yes.

24 Q. If you look at the privilege log again, you'll

